

**Conference Committee Report on  
House Bill No. 2139 / Senate Bill No. 2514**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2139 (Senate Bill No. 2514) has met and recommends that all amendments be deleted:

The Committee further recommends that the following amendment be adopted:  
by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following language as a new section:

**49-13-143.**

(a) Each LEA that is a chartering authority, the achievement school district (ASD), and the state board of education shall publish an annual charter school authorizer performance report. Each report shall contain information on the performance of the chartering authority's schools for the immediately prior school year and fiscal year. The report shall include:

(1) Data on the academic performance of the schools that the chartering authority oversees. The report shall include data from the state accountability system on each school's academic performance and shall indicate how well each school performed against the goals set forth in its performance framework and charter school agreement. The report, at a chartering authority's discretion, may include performance data based on the authority's own adopted performance management or accountability system for its schools. In any event, a chartering authority shall report the following data for the charter schools it authorizes:

(A) The Tennessee Value-Added Assessment System (TVAAS) schoolwide composite-level score 1-5 for each school;

(B) The TVAAS schoolwide composite-index score for each school;

(C) The percentage of students scoring proficient and advanced in mathematics, reading/language arts, and science on the Tennessee comprehensive assessment program (TCAP) tests, including the TNReady assessment, in each school;

(D) Schools that are identified as reward, focus, or priority schools;

(E) When applicable, the ACT and SAT scores of students; and

(F) When applicable, graduation rates;

(2) The record of compliance with objective, defined financial, and operations requirements for each charter school authorized by the chartering authority;

(3) Key student data for each charter school authorized by the chartering authority, including:

(A) Overall school enrollment;

(B) School enrollment by subgroup, including, but not limited to:

(i) Students receiving special education;

(ii) Students eligible for free and reduced price lunch; and

(iii) English language learners;

(C) School attrition as computed by the formula in which the number of students leaving the school during the school year is the numerator and the denominator is the sum of the number of students enrolled at the beginning of the school year and the number of students enrolling in the school during the school year;

(D) School attrition for subgroups of students computed using the formula in subdivision (a)(3)(C) as modified for a subgroup;

(E) Performance on end of course evaluations; and

(F) School expulsion and suspension rates; and

(4) Financial information, including per pupil BEP funds paid to charter schools, the numbers used to make the per pupil calculation for the fiscal year, and any local capital outlay funds distributed for charter school capital projects as a percentage of the chartering authority's capital funding for the fiscal year. A chartering authority shall include in its report:

(A) Each school's final weighted average daily membership

(ADM) for BEP payment purposes;

(B) The chartering authority's final year weighted ADM;

(C) The amount of revenue attributable to charter schools for the fiscal year;

(D) Any local capital outlay funding that was distributed to charter school projects; and

(E) If the chartering authority is an LEA, the total local capital outlay funding from the local governing body that was allocated to the LEA.

(b)

(1) The state board of education shall create a model performance framework that clearly sets forth the academic and operation performance indicators, measures, and metrics that shall guide an authorizer's evaluations of each of the public charter schools it authorized. The performance framework indicators, measures, and metrics shall, at a minimum, include:

(A) Student proficiency, including, but not limited to, performance on state standardized assessments;

(B) Student growth as represented by the Tennessee Value-Added Assessment System (TVAAS);

- (C) Achievement gaps between major student subgroups;
- (D) Financial performance and sustainability; and
- (E) Governing body performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter agreement.

(2) Authorizers shall, at a minimum, adopt the model performance framework.

(c) The annual authorizer performance reports shall be transmitted to the governor, the general assembly, the state board of education, if the chartering authority is not the state board, and the department of education by December 1 of the school year following the school year for which the report is made. The department shall post all authorizer performance reports on its web site for public viewing.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 13, is further amended by adding the following language as a new section:

**49-13-144.**

(a) As used in this section, "chartering authority" includes only LEAs that authorize charter schools and the achievement school district (ASD).

(b) The state board of education shall serve in an advisory capacity for chartering authorities.

(c) In its advisory capacity, the state board shall:

(1) Advise chartering authorities and their charter schools concerning the overall academic performance of the charter schools each authority oversees;

(2) Recommend standards for effectively carrying out their authorizing responsibilities. The authorizing responsibilities for which the state board shall recommend standards shall include:

(A) Adopting high-quality charter school authorizing practices;

- (B) Reviewing charter school applications;
  - (C) Contracting with charter schools;
  - (D) Overseeing and monitoring charter schools;
  - (E) Reviewing renewal applications; and
  - (F) Revoking and closing charter schools, when necessary; and
- (3) Verify that financial payments to charter schools are accurate and timely.

(d) The state board, at its discretion, may contract with a third party to assist it in its advisory capacity and to conduct reviews and evaluations of chartering authorities. Any third party with which the state board contracts shall be an established and respected entity that is knowledgeable in high-quality charter school authorizing practices.

(e) The state board may perform an initial review of a new chartering authority within two (2) years after the establishment of the chartering authority's first charter school. After the initial review of a chartering authority or for chartering authorities in existence on the effective date of this act, the state board may conduct a review at any time it finds a review to be appropriate or necessary.

(f) After completing a review of a chartering authority, the state board shall issue a written authorizer performance report on the overall performance of the chartering authority's schools and on the chartering authority's performance with respect to authorizing standards. The state board shall also review all performance standards of the charter school authorized by a chartering authority. A copy of a report shall be transmitted to the chartering authority that was reviewed and its charter schools, the department of education, the education committee of the senate, and the education instruction and programs committee of the house of representatives. The review shall be posted on the state board's web site for the benefit of the public.

SECTION 3. Tennessee Code Annotated, Section 49-13-108(f), is amended by deleting the language "are encouraged to adopt" and substituting instead the language "shall adopt".

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it.

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Senator Dolores Gresham

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Representative Kevin Brooks

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Senator Todd Gardenhire

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Representative Harry Brooks

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Senator Reginald Tate

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Representative John DeBerry